

RECORD OF PROCEEDINGS

June 25, 2015

6:00 PM
New Albany Village Hall
99 West Main Street, New Albany

I. Call to Order

Meeting opened at approximately 6:01 pm at New Albany Village Hall with the following members present: Kimberly Burton, Kasey Kist, Dean Swartz, Don Ballard, Mike Chappellear, and Ron Lachey. Dave Paul attended the meeting beginning at 6:03. Dean Swartz chaired the meeting. Staff members present were Stephen Mayer, City of New Albany; and Christopher Lohr, Tori Proehl, and Mark Dravillas, City of Columbus.

II. Record of Proceedings

Ms. Burton made a motion for approval of May 14, 2015 minutes, seconded by Mr. Chappellear. Motion passed 6-0. Mr. Paul joined the meeting following approval of the minutes.

III. Old Business

4980 Central College Road: Review and Input regarding a rezoning request to reuse a house built circa 1850 for a restaurant or office.

<i>Acreage:</i>	<i>1 acre</i>
<i>Current Zoning:</i>	<i>RR, rural residential</i>
<i>RFBA District:</i>	<i>West Village Neighborhood (Single-Family or Multifamily)</i>
<i>Proposed Use/Zoning:</i>	<i>Restaurant or office, CPD</i>

<i>Applicant(s):</i>	<i>Amanda Dunfield, AIA, David B. Meleca Architects</i>
<i>Property Owner(s):</i>	<i>Cristian Dirva</i>

Mr. Lohr presented the application. The application's proposed rezoning to CPD to allow restaurant or office use is inconsistent with the Rocky Fork-Blacklick Accord's Future Land Use Plan recommendation for single and multi-family. The size and location of the site and presence of a historic structure limit development options. The RFBA West Village Neighborhood district recommendation would allow up to 5 dwelling units on the site, while existing zoning could potentially allow up to 4 dwelling units on the site if subdivided. Additionally, this application scored a 78% on the Accord's score card which assessed the proposal based on selected standards from the West Village District-Neighborhood Center & Village Mixed Use. Staff provided comments that addressed the proposed use and considerations that should be taken into account by the Panel when reviewing the proposed uses.

Mr. Swartz said most of the questions and concerns regarding this proposal will likely revolve around the impact on the community in terms of traffic, noise, light pollution and aromas.

Mr. Chappellear asked Staff to clarify the zoning of the current property. He said he understood that

nothing would be able to be built due to the setbacks along Central College Road. He didn't think anyone would be able to develop the property if the existing building were to come down due to the existing setbacks.

Mr. Lohr said the application was reviewed against the Accord Plan recommendations and that it is a unique site. He further explained that the site would need to be split in order to develop the site with four units. He also noted that the existing building is not a designated historic building.

Ms. Proehl read the list of permitted uses in the RR, Rural Residential District, and explained that if anyone wanted to come in and tear down the existing house they could, and that someone could come in and develop it with any of the aforementioned uses.

Ms. Amanda Dunfield, AIA, with David B. Melecca Architects, gave an overview of the project. She said the intent of the project is to renovate an existing farmhouse, and for the project to become an amenity for the neighborhood. She explained that she had met previously with the neighbors and that she will try to address those concerns tonight. Ms. Dunfield began by addressing the issue of noise, from both music and trash. She said there will be no outdoor music. She continued by explaining there will be no trash pickup between the hours of 7pm-7am. She said another concern was the view of the parking lot from Caplinger Avenue. The new intent is to berm up the earth on that edge of the parking lot and to add shrubs on top, to block most if not all headlights. She explained that an additional concern was the view of the existing house from the adjacent neighborhood. She said they are proposing a significant, more efficient screen that would be present year around. The dumpster will also be screened and planted upon in order to provide full screening from Caplinger Avenue. Additionally, the continuation of the white fence along Central College Road is included in this proposal. Ms. Dunfield said they are continuing to explore options on parking lot pavers and how to enhance the parking lot and site.

Mr. Paul asked if there was a sidewalk or walkway going from the proposed restaurant to the existing neighborhood.

Ms. Dunfield answered that it was a sidewalk, and that it would be a gateway into the site from the neighborhood. She said it may be a point of contention and that both the Accord and City have requested the sidewalk be included. She also pointed out the bike racks on the site plan.

Mr. Tom McCash, with David B. Melecca Architects, further explained the project. Modifications were made due to initial comments from the City and the neighbors. He said they increased the landscaping requirements, committed to a larger lot coverage provision, and committed to increased open space. He said storm water has not been addressed yet, but that they are exploring their options and that screening requirements have been increased to 48 inches in height along Caplinger Avenue. He said specimen trees will be included. He also said the parking lot may expand slightly due to technicalities. He explained this project is not a bar, which is a C-4, Commercial District use. This restaurant, rather, is more of a sit-down quality bistro restaurant.

Mr. Paul asked if beer and wine would be served on the premises.

Mr. McCash answered yes, that the typical bistro would have a beer and wine license.

Mr. Kist asked if the floor plan shows a bar.

Mr. McCash responded that that had yet to be determined, but that a small bar would likely be included.

Mr. Chappelle asked if the designers had considered in the open green space a formal garden area for outside dining, as opposed to the patio or inside seating.

Mr. McCash said that would likely increase the amount of required parking if there were tables and seats. He said the patio was available for outdoor dining.

Mr. Chappelle said something like that may make the project more neighborhood friendly.

Mr. McCash said maybe park benches or something similar may be considered, but likely not tables and chairs.

Mr. Kist inquired about the calculation of parking spaces.

Mr. McCash explained the calculation was derived from the square footage of the building.

Mr. Kist asked about the seating in the restaurant in order to see how many parking spaces are required.

Mr. McCash said the total number of seats in the restaurant could be between 40-50 seats.

Mr. Paul asked about ADA compliance.

Mr. McCash said the addition will include an elevator. He also explained they are working with MI Homes to obtain an easement to maintain the additional landscaping strip on the north side of the property.

Mr. Paul reiterated that the sidewalk going in to the community could be a gateway to the project. He asked about a physical gate to close off the sidewalk when the business is closed.

Mr. McCash said that could be considered. He said the property has been left behind and is an island. He said the applicant is trying to preserve the historical character of the home, and turn it into an amenity to the neighborhood.

Mr. Lohr clarified that the parking requirement, as determined by the City, is calculated by the total gross square footage of the building.

Ms. Burton said she likes what they are trying to do, and that parking seems like a challenge. She said they should consider getting an agreement with the neighboring church for employee parking. She also said the turnaround in the back corner of the property should be made obvious that it is a turnaround and not a large parking space. She asked about headlight screening.

Mr. McCash reiterated the 48 inches height commitment and also explained that when the business is closed, the parking lot lights will be off so they will not be a nuisance to the neighbors.

Ms. Burton said she also likes the idea of a gazebo and/or walking paths in the open area so people can really enjoy the site.

Mr. McCash responded that that was something they may consider in the future.

Mr. Paul asked for clarity on restrictions of hours of trash and deliveries.

Mr. McCash clarified that there will be no deliveries or trash pickup between 7pm-7am and that will be put in the CPD text.

Ms. Proehl explained that hours of operation and trash collection are not regulated by the Zoning Code. She said this is something that could be done through a Good Neighbor Agreement, not the CPD text.

Mr. McCash said that is fine, and they could do it through different means.

Mr. Ballard asked about limited parking on Caplinger Avenue. He said he is bothered by the idea that people may want to park on Caplinger Avenue to get to their business.

Mr. McCash said Caplinger Avenue was a public street and that people can park there if they wish. He said if the business were that successful in the future, the business would look at valet parking.

Mr. Swartz confirmed that this was not going to be a bar.

Mr. McCash said a bar is not permitted in this zoning district and is not proposed.

Mr. Kist asked if signs could be placed on Caplinger Avenue that indicated it was only resident parking on that strip of the street.

Mr. McCash said he would have no problem with that, but that the street was public and that he would have to check with the City of Columbus first.

Ms. Proehl clarified that any signs would have to be approved by the Department of Public Service.

Mr. Chappellear asked if it was possible to put a strip of parallel parking along Central College Road. He said there was parallel parking further down on Central College Road.

Mr. McCash said if it were to be permitted by the City of Columbus, it would be something they could look at if parking became a problem.

Mr. Swartz said these issues are beyond the scope of the meeting right now. He asked how many tables would be in the restaurant.

Mr. McCash answered that 30 parking spaces was believed to be sufficient parking for this establishment.

Mr. Swartz stated this was a unique situation. He asked if there was enough parking on the property for what they are planning to do, without spilling over onto the surrounding streets.

Mr. McCash answered yes, that they believe there is sufficient parking. He said their commitment is that the parking situation will not impact the surrounding residents.

Mr. Kist suggested that the applicant work with Staff to find additional parking offsite, especially for the workers of the new business.

Mr. Swartz opened the floor for public comment.

Ms. Sandra Hara, 5976 Oswald Street, shared her concerns about the proposal. She said the homeowners association members and residents have had no conversations with the applicant regarding this project. She said the contact is MI Homes, not the HOA. She said the walkway, even if gated, would not keep people from coming and going. She said parking is a concern, that MI Homes did not build wide streets and that almost all of the homes have at least two vehicles on the streets in the evening. She said the City of Columbus does not want parking limited to one side of Caplinger Avenue right now, and that parking is a problem. Ms. Hara also said she is concerned about the proposed berms, and what impact the additional runoff will have on the existing ponds. She said the HOA will be responsible for cleaning up the trash from the restaurant. She reiterated her concerns about traffic. She said she appreciated someone wanting to renovate the old house, but that the expense for the surrounding neighbors was too great at this time.

Mr. McCash responded by saying by renovating a dilapidated building will not decrease the surrounding home values. He said they are committed to being a responsible neighbor, to not use plastic bags, and keeping the site clean. He said they are talking with MI Homes because they are the contact. He said if MI Homes is not talking to the neighbors that the neighbors should talk directly to MI Homes.

Ms. Jackie Rose, 5933 Ruibley Way, asked to see the rendering of the proposal. She said the rendering does not look anything like it does now.

Ms. Dunfield explained the layout of the building. She said the north elevation is the entire new addition to the building.

Mr. Paul asked for clarity regarding the height of the addition.

Ms. Dunfield stated it is yet to be determined. She said this was the most intense proposal.

Mr. McCash explained that the addition will encompass the kitchen for the restaurant.

Mr. Kist asked why an elevator was needed if the addition was only one story.

Mr. McCash explained that the rest of the house has two floors, which is why they need the elevator.

Ms. Rose said the fact that they don't know who the tenant is, and that is a lot of the anxiety from the neighbors revolves around that point. She said the owner has not done something like this before.

Ms. Dunfield said the owner lives in Germany and manages two properties there. She said his buildings are far older than the one being looked at tonight. She said he has never done one of these in a neighborhood, however.

Ms. Rose said they are guinea pigs in the respect that he has never had a restaurant in a neighborhood before. She asked what happens to the property if the restaurant fails.

Mr. Swartz said this panel is always asked to look at the worst possible case scenario. He said anything that happens would be an improvement to the property as compared to what it is now. He said it is better than someone coming and bulldozing the property and starting over.

Ms. Rose said she agrees with what Mr. Swartz said, but that the flip side is that the residents have to deal with the negative impacts: the traffic, noise, and trash. She said parking is already out of control. She said she was on the fence about the proposal. Ms. Rose went on to say the unknown is the scariest part, and that she doesn't know if the proposal will impact her property values. More of her concerns include a lack of involvement from MI Homes, and all the unknowns. She said if they could see more finality about this project, it may sway people one way or the other.

Mr. Swartz said many of those questions won't be answered until the proposal is further along in the process. He said they are fairly conceptual at this point. He said the important thing for the applicant to hear is that the applicant needs to play nicely with the neighbors. Unfortunately, though, he said the legal representation for the property is not communicating with the neighbors.

Ms. Rose said that one of the reasons she moved in her neighborhood was because of the lack of traffic, and that she knew what the existing building was and what it looked like. She reiterated that the fear of the unknown is a primary concern.

Ms. Katie Holcomb, 6164 Jennis Road, said the proposal was sprung on her, and has a lot of concerns. She

said her stepfather owns all the land on the other side of Central College Road and that it was hard for him to see it all go away. She said it is hard for her to see something really great upfront turn in to something potentially very destructive later. She asked what happens if the owner walks away and goes back to Germany, and how the neighborhood will be protected.

Mr. Paul clarified that anything that makes it in to the CPD text would be handed down to the next owner, unless it is modified or rezoned. He said anything in the text should persist even if the property is sold.

Ms. Holcomb asked if someone else bought the property, and wanted to rezone the property, what else could be put there.

Ms. Proehl explained that the zoning goes with the land. She explained that the applicant commits to a CPD text and site plan. She said if there are any changes after it is approved by Council that the applicant would have to start this process over.

Ms. Holcomb said a concern about the walkway invites people to park on an already crowded street. She said it's a no-win situation, and that the removal of the sidewalk would help the parking issue.

Mr. Swartz said the idea of the gate on the walkway would reduce the additional parking on Caplinger Avenue. He said these details would be more appropriate for the Planning Commission. He asked Staff if there was any way the surrounding residents could receive word about any updates on the project.

Ms. Proehl stated that code requires property owners within 125 feet of the subject site to be notified. She said all those owners will receive a notice in the mail for the Development Commission meeting and City Council meeting.

Mr. Swartz said the neighbors should work together to tell each other about any developments concerning this proposal.

Ms. Becky Cole, 6174 Upper Albany Crossing, said she personally knows the applicant and has been to their places in Germany. She said the applicant has renovated buildings older than this one and that they are gorgeous, there is no outdoor music and it is a European atmosphere. She said traffic is already present on Central College Road. She doesn't see how property values would go down with a project like this. She said the owner visits the community quite a bit and has been to her home several times.

Ms. Linda Rahe, 5990 Mealla Road, said a recent rezoning proposal was turned down across the street. She asked if this proposal was approved if the other proposal could be approved in the future.

Ms. Proehl said that this application is for this address only.

Mr. Paul said it does not set a precedent.

Mr. Kist said this proposal is unique and that it would definitely not set a precedent for the other proposal.

Ms. Rahe said she and her husband lived in another community that was totally residential. She said the City came in and changed the zoning to allow a restaurant to go in. Then there was a bar. Then there was another bar. She said the next thing they knew, they began having more problems in their community, and that today, it is a disaster. She said that was what frightened her about this proposal. She said she and her husband moved to this area because it was rural and totally residential.

Mr. Rick Lemmons, 5931 Bricklin Street, asked the architects about the stormwater runoff. He asked if an

engineer had been involved yet.

Ms. Dunfield answered not yet.

Mr. Lemmons expressed concern about employee parking. He said he thinks maybe more than 30 spaces will be needed. He also said if something happened and this property was sold, he thought the sale of the property would be contingent on the rezoning. Lastly, he said that as a Realtor he would like to sell in this community, and thinks it will be a benefit to the community.

Mr. Kist asked if a recommendation is needed tonight.

Mr. Lohr answered yes.

Mr. Kist asked if a tenant is being sought at this point.

Mr. McCash answered yes, but that zoning has to be done first. He said they would like to include things in the text to alleviate some of the neighbors' concerns, but if a Good Neighbor Agreement is necessary, they will do it that way. He also said the conversations with MI Homes are revolving around the easement, nothing else. He stated it is a unique site, and that they are trying to commit to the residents that they will work with them. Mr. McCash said that bad news travels fast through social media. He said the potential business owner wants to be a good neighbor.

Mr. Ballard asked if the structural inspection has been done.

Mr. McCash answered yes, that the report is done, and that some issues have been identified but not many with the outside of the building. He also said they are addressing building materials and style in the CPD text.

Mr. Paul asked if it was determined that the structure wasn't sound enough to host the proposed use, the text would require them to build the exact same structure again. He said they wouldn't be able to turn around and do something else with this plan.

Mr. McCash answered that if this building had structural issues, they would have to build like for like.

Mr. Paul said it would have to have the same footprint.

Mr. McCash said yes.

Mr. Chappellear said the existing terracotta and brick were semi-common materials for the time period and that the house is unique since it uses both. He said to take on restoring a historical building requires a lot of responsibility. He said it's not only unique because it's a historical building but also because of the fact that it sits in an area where it's been built around. He stated it is an island and if a historical building is going to be restored, it has to be done where it sits today. He said he feels like he is supposed to protect the history of the community. He said almost everyone came to the area with the same goal in mind – a better way of life. He stated that progress goes on. Mr. Chappellear said he sees the potential business owner wanting to get along with the surrounding neighborhood. He stated the potential owner has experience with older buildings, and in Europe they are even older. He said he doesn't think that there would be many people willing to come in and restore an older building in this location. He said it comes down to this: you either bulldoze the building or restore it. He said it comes down to willing to take a risk to have something nice in the community or risking it become dilapidated, which it already is. He said the business person has rights too and that you never really know what your new neighbors are going to be like. He said historic places are worth saving.

Mr. Joseph Ochwat asked how long this person has owned the property.

Mr. McCash answered since November 6, 2013, and that he has already starting working to secure the building.

Mr. Swartz asked for any other public comment.

MOTION: To recommend this application Z15-027 for approval.

MOTION BY: Mr. Paul, seconded by Ms. Burton

RESULT: Approved 7-0

V. New Business

VI. Adjournment

With there being no further business, the meeting was adjourned at approximately 7:49 pm.